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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.				
10/026,286	12/20/2001	Yoshiaki Mori	P6495a	1796				
20110	90 10/02/2007		EXAMINER					
EPSON RESEARCH AND DEVELOPMENT INC								
INTELLECTUAL PROPERTY DEPT 2580 ORCHARD PARKWAY, SUITE 225			ART UNIT	PAPER NUMBER				
SAN JOSE, CA	•		<u> </u>					

DATE MAILED: 10/02/2007

Please find below and/or attached an Office communication concerning this application or proceeding.

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		Application No.	Applicant(s)					
Notific	ation of Non-Compliant Appeal Brief	10/026,286	MORI ET AL.					
(37 CFR 41.37)		Examiner	Art Unit					
		Daborah Chacko-Davis	1756					
	The MAILING DATE of this communication app	pears on the cover sheet with the	correspondence a	address				
The Appeal Brief filed on 25 June 2007 is defective for failure to comply with one or more provisions of 37 CFR 41.37.								
To avoid dismissal of the appeal, applicant must file anamended brief or other appropriate correction (see MPEP 1205.03) within <b>ONE MONTH or THIRTY DAYS</b> from the mailing date of this Notification, whichever is longer. <b>EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136</b> .								
1. 🔲	1. The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.							
2. 🗌	The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).							
3. 🗌	At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).							
4.	(a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).							
5. 🗌	The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi))							
6. 🛚	The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).							
7. 🗌	The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).							
8.	The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner <b>and relied upon by appellant in the appeal</b> , along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).							
9. 🗌	The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).							
10.⊠	Other (including any explanation in support of t	he above items):		•				
	See Continuation Sheet.							
		•						

dcd

September 21, 2007.

## Continuation Sheet (PTOL-462)

Continuation of 10. Other (including any explanation in support of the above items): (Cont. of 6.) It is not clear what claim is argued in pages 18-28. Each ground of rejection must be treated under a separate heading. For each ground of rejection applying to two or more claims, the claims may be argued separately or as a group. Any claim argued separately should be placed under a subheading identifying the claim by number. A statement which merely points out what a claim recites will not be considered an argument for separate patentability of the claim. See 37 CFR 41.37(c)(1)(vii).

In the "Evidence Appendix", the Exhibits A & B, were not previously considered. All other affidavits or other evidence filed after the date of filing an appeal pursuant to §41.31(a)(1) through (a)(3) will not be admitted except as permitted by § § 41.39(b)(1), 41.50(a)(2)(i)

and 41.50(b)(1). See MPEP 1206 37 CFR 41.33 (d)(2).

MARK F. HUFF
SUPERVISORY PATENT EXAMINED
TECHNOLOGY CENTER 1700